

Atty. Dkt. No. 200310991-1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy M. Souza
Title: PERISTALTIC PUMP
Appl. No.: 10/657,425
Filing Date: 09/08/2003
Examiner: Kocz Jr., Michael
Art Unit: 3746

<p>CERTIFICATE OF FACSIMILE TRANSMISSION</p> <p>I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.</p> <p><u>Todd A. Rathe</u> (Printed Name)</p> <p><u>Todd A. Rathe</u> (Signature)</p> <p><u>09/12/2006</u> (Date of Deposit)</p>
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RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed on August 16, 2006 in which an election of species requirement was imposed under 35 U.S.C. §121.

I. Election of Species Requirement

The Office Action asserted that the Invention includes the following species:

- Species of Figure 3;
- Species of Figure 7;
- Species of Figure 10;
- Species of Figure 13; and
- Species of Figure 14

II. Election

In response, Applicant elects the Species of Figure 3. Each of claims 1-8, 10-15, 17-18 and 32-40 are believed to be readable on the Species of Figure 3. At least claim 1 and

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claims 32-40 are believed to be generic to each of the Species. Accordingly, upon allowance of independent claim 1, Applicant respectfully requests reinstatement of the to be withdrawn claims 9, 16, and 19-31 which depend from claim 1.

Respectfully submitted,

Date Sept. 12, 2006

By Todd A. Rathe

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Todd A. Rathe
Attorney for Applicant
Registration No. 38,276

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80627-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 200310991-1

Inventor(s): Timothy M. Souza
Application No.: 10/657,425
Filing Date: 09/08/2003

Confirmation No.:
Examiner: Koczko Jr., Michael
Group Art Unit: 3748

Title: PERISTALTIC PUMP

Mail Stop
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Transmitted herewith is/are the following in the above-identified application:

- ☒ Response/Amendment
☐ New fee as calculated below
☒ No additional fee
☐ Other

- ☐ Petition to extend time to respond
☐ Supplemental Declaration

Fee\$

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$50	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$200	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$360	\$ 0
EXTENSION FEE	<input type="checkbox"/> 1st Month \$120	<input type="checkbox"/> 2nd Month \$450	<input type="checkbox"/> 3rd Month \$1020	<input type="checkbox"/> 4th Month \$1690		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally charge any fees to Deposit Account 08-2025 under 37 CFR 1.18 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this paper is being
transmitted to the Patent and Trademark Office
facsimile number (571) 273-8300.
Date of facsimile: 09/12/2006

Typed Name: Todd A. Rathe

Signature: Todd A. Rathe

Respectfully submitted,

Timothy M. Souza

By Todd A. Rathe

Todd A. Rathe

Attorney/Agent for Applicant(s)

Reg No. : 38,276

Date : 09/12/2006

Telephone : (262) 478-9353

Rev 10/05 (TransAmndFax)

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 200310991-1

Inventor(s): Timothy M. Souza

Confirmation No.:

Application No.: 10/857,428

Examiner: Kocz Jr., Michael

Filing Date: 09/08/2003

Group Art Unit: 3746

Title: PERISTALTIC PUMP

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Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

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EXTENSION FEE	<input type="checkbox"/> 1st Month \$120	<input type="checkbox"/> 2nd Month \$450	<input type="checkbox"/> 3rd Month \$1020	<input type="checkbox"/> 4th Month \$1590		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

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Timothy M. Souza

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